

**Wenham Historic District Commission**  
**375th Meeting**  
**August 18, 2005**

**Present:** Al Klebe, Robbie Corcoran, Jennifer Tymann, Michael Lucy, David Mehlin,  
Tyson Goodridge

**Also Present:** Jim Howard, Secretary

Mr. Klebe opened the meeting at 7:02.

**Minutes**

Mr. Corcoran offered a motion to accept the minutes of the July 21, 2005 meeting with a minor edit as noted. The motion was seconded. The Commission voted unanimously to accept the minutes with minor edits as noted.

**New Business**

**Wenham Museum Banner**

Mr. Klebe reported that the Wenham Museum called him and asked if they could display a banner promoting "Wenham Days". He gave them conditional approval to do so.

The Commission voted unanimously to issue a Certificate of Appropriateness for the banner.

**Wenham Tea House**

An application for a Certificate of Appropriateness was received from the Wenham Tea House. The application is for some new shutters to replace existing ones that have rotted out. The new shutters will be wooden and the same style as the existing shutters.

The Commission voted unanimously to approve the new shutters and issue a Certificate of Appropriateness for them.

**170 Main Street**

Ms Nancy Spofford the owner of the house at 170 Main Street submitted to the Commission an application for a Certificate of Appropriateness for a small addition to the southwest corner of her house. The addition would add three feet of building to the back of the house.

The Commission voted unanimously to approve the addition and issue a Certificate of Appropriateness.

**The Building Committee**

Mr. Klebe reported that he had received a letter from John Darling, Chairman of the Town Hall Police Station Building Committee. In the letter stated the Building Committee would extend the 60 day period to act on their application to September 22,

2005 and that the Building Committee would pay for the costs of additional public notices.

#### **Article for the Town Meeting Warrant**

Mr. Klebe noted that although the Selectmen had chosen not put the article submitted by the Historic District Commission on the warrant for the October 4, 2005 special town meeting, 253 petition signatures had been gathered and certified so the article will be on the Warrant for that Town Meeting.

Mr. Lucy wondered what would be the status of the Town Hall/Police Station project if the article noted above shifting the funds to a project preserving the Town Hall did not pass. He suggested the Commission would then be under some pressure to approve the existing one building proposal to get the project started.

It was explained that the project was not already approved, that the Building Committee would have to resubmit the application for a Certificate of Appropriateness.

Al Klebe noted that if final plans for the existing project still had not been developed and that they would cost \$250,000 to develop, where final building plans already exist for the old two building project.

#### **Proposed Historic District By-Law Change**

Mr. Corcoran presented a draft response to the proposed Historic District Bylaw Amendment submitted to the Commission in a July 13, 2005 letter from Jeff Chelgren, The Town Administrator. This bylaw change would remove the Town owned buildings currently in the Historic District from the Historic District. Mr. Corcoran noted that the Commission is required to submit a recommendation to the Selectmen, The Planning Board, and the Massachusetts Historic Commission within 60 days. .

Mr. Corcoran explained that the drafted response stressed that removing the municipal buildings from the Historic District would remove one of the most visible and architecturally significant building from the district. He also explained that it is the opinion of the attorney representing the Commission that the proposed amendment is not legal. There is no provision in Chapter 40C to exempt buildings from a Historic District based on who owns them. He pointed out the a recently decided court case had prevented an historic district in Springfield from exempting building owned by the Catholic Church and the Springfield Library and Museums Association.

Mr. Lucy said that he felt it was not right to gut the Historic District. He also noted that the public should know that even if the bylaw amendment is adopted by Town Meeting that the change must still be approved by the state Attorney General before it becomes law and that there is a good chance that it would not be approved.

Al Klebe suggested the proposed amendment amounted to spot zoning which is not legal.

Mr. Corcoran moved that Commission approve the *Report on A Town Meeting Article to Remove Municipal Buildings from The Wenham Historic District* with one minor change suggested by the attorney for the Commission and that the Secretary of the Commission to deliver copies of the approved report to the Wenham Board of Selectmen, The Wenham Planning Board and the Massachusetts Historic Commission.

The motion was seconded. Mr. Klebe voted for; Mr. Corcoran voted for; Mr. Mehlin voted for; Mr. Lucy voted for; Mr. Goodridge voted for; Ms Tymann voted for.

### **Questions for the Building Committee**

Al Klebe noted that the Commission had told the Building Committee that the Commission would submit a set of questions about the Town Hall/Police Station project in advance so that they could prepare to respond to them at the upcoming public hearing on the project. The following questions were submitted.

1. The Commission would like to see drawings or elevations that show how the proposed building compares in size and location to the existing town hall. These drawings might show the new building superimposed on the existing building.
2. How much has been spent to date on architectural fees? How much more will need to be spent on architectural fees and how long will it take?
3. How much has been spent on legal fees and how have those legal expenses been funded. Are they being charged to the project?
4. Is the door being proposed for the side of the building facing the street, a working door?
5. What are the specifications for siding and all other materials to be used for the exterior of the building?

Mr. Corcoran moved that the meeting be adjourned. The meeting was adjourned at 7:59.

### **The Next Meeting**

The next meeting will be held Thursday September 15 at 7:00 PM in **the Hamilton-Wenham Public Library at 14 Union Street in Hamilton**. Please call Al Klebe (978-468-1835) if you cannot attend.

### **Agenda Items**

- a) Town Hall Police Station project – Decision Document
- b) Approval of Minutes

Respectfully Submitted,

James M. Howard  
Secretary